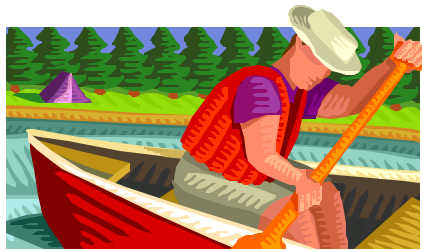

New Jersey Barrier Free Subcode

Recreation Section
5:23 - 7.15 - 7.30



State of New Jersey
James E. McGreevey, *Governor*

Department of Community Affairs
Susan Bass Levin, *Commissioner*

Barrier-Free Subcode – Recreation Section

***5:23-7.15 Recreation**

(a) All facilities, equipment, and sites or portions thereof, intended for outdoor active or passive recreation shall meet all applicable requirements of this subchapter in addition to the provisions of N.J.A.C. 5:23-7.16 through 7.31. All the support facilities and site access points required to be on an accessible route of travel shall be made accessible in accordance with the applicable provisions of this subchapter.

1. Indoor recreational facilities shall be on an accessible route of travel and shall comply with all applicable requirements of this subchapter.

(b) Compliance with the provisions of this subchapter that relate to the accessibility of recreational equipment or recreation sites shall be responsibility of the manager of that recreational facility, of the owner of that facility, whether publicly or privately held, and of the agency responsible for the administration of that facility.

1. The facility manager and/or the facility owner or agency responsible for administration of the facility shall certify, in writing, that any work performed complies with all applicable provisions of this subchapter and shall retain this certification on file.

2. The enforcement of the accessibility features of recreational equipment notwithstanding, the construction of recreational equipment may require a construction permit if so determined by the building subcode official.

3. The enforcement of the requirements for swimming pools at N.J.A.C. 5:23-7.6, including the accessibility features, shall be the responsibility of the building subcode official.

4. Complaints regarding lack of enforcement of these provisions shall be directed to the facility manager and the facility owner or agency responsible for administration of the facility. The facility manager shall respond within 30 days to any written complaint received detailing the position taken with respect to this complaint. If the facility manager fails to respond in a manner satisfactory to the party registering the complaint, then that party shall have recourse to the appeals process as set forth at N.J.A.C. 5:23-2.38 and 3.11.

5. Any alteration, renovation and/or addition to any existing recreational facility, the cost of which meets or exceeds the limit set forth in N.J.S.A. 40A:11-3, shall be performed in compliance with applicable provisions of this subchapter. This limit shall apply to both privately and publicly-owned recreational facilities. If it is feasible to achieve a greater degree of compliance with this subchapter with respect to the entire recreation area, then the facility manager may make alterations, renovations or additions in compliance with the applicable provisions of this subchapter to other facilities or equipment in lieu of the facility or equipment originally being altered, renovated and/or added.

i. Notwithstanding the above provisions, no alteration, renovation or addition shall be made which reduces or diminishes the degree to which any facility meets the criteria of this subchapter.

5:23-7.16 Recreation: definitions

“Multi-functional play equipment” means play equipment designed to provide multiple play activities such as, but not limited to, swinging, jumping, sliding, and climbing.

“Park” or “recreation area” means an area set aside and designated for recreation, including either active participation, as in sports, or passive recreation, as in the observation of nature.

“Recreation equipment” means equipment and prescribed surrounding safety areas, including, but not limited to, fixed equipment, fixed manipulative play equipment (such as playground equipment), picnic tables, benches, fireplaces and grills, ski lifts, and aerial tramways.

“Recreation facility” means a facility, body of water, dock, court, field, location, or portion thereof, intended for active or passive recreation.

“Single function play equipment” means play equipment designed to provide a single play activity, such as, but not limited to, swinging, jumping, climbing or sliding.

“Site access points” means entrances, waiting areas, drop-off zones, parking areas, and public transportation stops serving the recreational area or facility, except those used solely for maintenance purposes.

“Support facility” means a facility ancillary to a recreation facility including, but not limited to, toilet facilities, food services, information services, first aid stations, drinking fountains, telephones, spectator seating and shelters. Facilities primarily housing mechanical equipment or those exclusively used for storage are not included in this definition.

“Transfer platform” means a platform with a minimum dimension of 18 inches by 24 inches mounted 15 inches to 17 inches above grade as an integral part of the multifunctional play equipment to provide access.

“Transfer point” means a clear space 36 inches by 60 inches adjacent to a transfer platform.

“Undeveloped areas” means areas used for activities such as camping, hunting, fishing, the observation of nature or open space conservation and which contain no recreation equipment or recreation facilities.

5:23-7.17 Recreation: exceptions

These recreation requirements do not apply to undeveloped areas as defined in N.J.A.C. 5:23-7.16.

5:23-7.18 Recreation: route of travel

(a) There shall be an accessible route of travel connecting the following elements: at least one site access point and all support facilities; accessible recreation facilities, and accessible recreation equipment at each park or recreation area. For purposes of applying this requirement, parks may be divided into smaller areas and an accessible route provided from one site access point at each area to all support facilities, accessible recreation facilities, and accessible recreation equipment in that area.

(b) An accessible route of travel shall meet the following criteria:

1. An accessible route of travel which connects an accessible site access point and support facilities, accessible recreation facilities, and accessible recreation equipment shall meet all of the criteria of CABO/ANSI A117.1, Section 4.5, except that the following are also acceptable surfacing materials: flat surfaced pavers on concrete, flat surfaced pavers on sand, and wood decking. Crushed stone, if laid over a compacted subgrade and bound with sufficient cement to provide a non-shifting, firm surface, is also acceptable.

2. A challenge level 1 accessible route may connect additional site access points, if provided, and support facilities, recreation equipment, and recreation facilities. A challenge level 1 accessible route shall meet the criteria of CABO/ANSI A117.1, Section 4.5, except as follows:

i. In addition to the materials listed in (b)1 above, the following materials are acceptable as surfacing: soil cement, graded wood chips, grass, and compacted earth.

ii. An accessible route with a running slope of 1:16 or steeper shall be considered a ramp. Cross slopes shall not exceed 1:30.

iii. Landings for ramps shall be provided at the top, bottom, at all changes in direction, and after each 48 feet of projection.

iv. Materials specified in (b)1 above are acceptable ramp surfacing materials.

v. When the running slope is between 1:20 and 1:16, a level rest area at least five feet by five feet shall be provided every 200 feet.

(c) The accessible route to multi-functional play equipment shall lead onto the equipment itself as specified at N.J.A.C. 5:23-7.30(c) 1.

(d) When a resilient safety area is specified by the manufacturer of the play equipment, the accessible route through the resilient safety area shall meet all the criteria of CABO/ANSI A117.1, Section 4.5 and the following conditions:

1. Commercially manufactured or processed materials must be certified by the manufacturer as permitting independent wheelchair passage;
2. Natural materials must be of the type and depth to meet the specifications in the Consumer Products Safety Commission Handbook on Playground Safety (Consumer Products Safety Commission, Washington, D.C. 20207) or must be one of the following:

- i. Wood chips of relatively uniform size from hard wood without bark, leaves, twigs, or brush, or
- ii. Double shredded bark and mulch of relatively uniform size without leaves, twigs, or brush: and

1. 3. The accessible route and the resilient safety area shall be of the same material.

(e) The accessible route to single function play equipment shall lead to the safety area surrounding the equipment.

5:23-7.19 Recreation: pools

(a) At least one pool of each type provided in each distinct area on a site, intended for swimming, soaking, wading, or diving, exclusive of those intended for ornamental, decorative, or mechanical purposes, must adjoin an accessible route of travel. The interior of swimming pools, defined as pools with a depth ranging between 24 inches and 13 feet, and the interior for soaking pools, shall be made accessible by one of the methods detailed in (a)1 through 3 below. Wading pools, defined as pools with a maximum depth of less than 24 inches, and diving pools, defined as pools or tanks whose minimum depth is over 13 feet, are excluded from this interior access requirement.

1. A vertical lift meeting the following criteria and as shown in Figure 7.6a:

- i. Designed by its manufacturer for independent operation by the user;
- ii. Equipped with a chair designed for independent transfer from a wheelchair. The chair shall have a rigid seat with a depth of at least 15 inches and shall have a rigid back support at least 15 inches high;

(1.) As an alternative to (a)1ii above, a pool may be equipped with a moving platform. A wheelchair shall be provided to the user if this option is used.

iii. Adjoining a clear level floor area meeting the criteria of CABO/ANSI A117.1, Section 4.3 whose minimum dimensions are five feet by five feet;

iv. Having controls which meet the criteria of CABO/ANSI A117.1, Section 4.25; and

v. Located to meet the criteria of Figure 7.6a.

2. Interior/exterior steps meeting the criteria of Figure 7.6b:

i. The edge of the ramp shall be white, orange, yellow or some other color which contrasts with the color of the pool for the safety of the visually impaired.

3. A ramp meeting the criteria of Figure 7.6c (ramp into water)

- Maximum slope 1:12.
- Provide no handrails but provide curbs.
- Maximum ramp run 30' 0". Use additional ramp runs with 5'0" level platforms between, as necessary.
- In pools, assure no access under ramp.

i. A wheelchair should be provided to the user if this option is used.

ii. The edge of the ramp shall be white, orange, yellow or some other color which contrasts with the color of the pool for the safety of the visually impaired.

5:23-7.20 Recreation: swimming and skating areas

(a) At each designated swimming and/or skating areas at natural or man-made bodies of water, there shall be an accessible route or an accessible trail meeting the criteria of N.J.A.C. 5:23-7.28 that connects at least one point at the water's edge to other elements at the site as required by N.J.A.C. 5:23-7.18(a).

1. At designated swimming and/or skating areas, the provision of access as described in (a) above at one location per site shall be deemed as satisfying the requirements of this section.

2. This provision shall not apply in those ocean front areas where wave action renders the provision of an accessible route or an accessible trail impractical from an engineering standpoint.

5:23-7.21 Recreation: boating areas

(a) Each boating area with docking facilities shall have one accessible mooring space.

(b) Each accessible mooring space shall adjoin an accessible route of travel and shall have a minimum clear space of five feet by five feet to allow transfer to the boat. Additionally, each accessible mooring space shall be a maximum of 36 inches above the mean water level in non-tidal areas.

5:23-7.22 Recreation: fishing areas

If docks are provided in a fishing area, the criteria of N.J.A.C. 5:23-7.21 shall apply.

5:23-7.23 Recreation: court games

(a) The surface of the court must adjoin an accessible route of travel. Entrances to courts required to be accessible shall meet criteria of CABO/ANSI A117.1, Section 4.13. On sites with more than one court, at least one of each type of court in each distinct area at a site shall adjoin an accessible route of travel. Where there is a main or center court, this court shall be included as one of those on an accessible route of travel. Additionally, all permanent spectator viewing areas seating 50 or more persons shall be on an accessible route of travel

(b) Court surfaces shall meet the criteria of CABO/ANSI A117.1, Section 4.3, except in those instances where the recognized rules of the particular game dictate another surface.

5:23-7.24 Recreation: ice rinks and roller rinks

The surface of at least one of each type of rink provided in each distinct area on a site shall adjoin an accessible route of travel.

5:23-7.25 Recreation: playing fields

There shall be an accessible route of travel to at least one of each type of playing field provided in each distinct area on a site. For an overlay field, an accessible route of travel to the primary field shall fulfill the requirements of this section. For a complex of playing fields in a single area, an accessible route of travel to the area shall fulfill the requirements of this section. Additionally, all permanent spectator viewing areas seating 50 or more persons shall be on an accessible route of travel.

5:23-7.26 Recreation: golf facilities

(a) For golf facilities, there shall be an accessible route of travel to the area where the transfer to golf carts is made.

(b) Bridges, if provided, shall either be designed for use by golf carts or shall meet the criteria of CABO/ANSI A117.1, Section 4.8.

(c) Where curbs are provided at points where courses cross thoroughfares, ramps or curb ramps meeting the criteria of CABO/ANSI A117.1, Section 4.8 shall be provided.

(d) Miniature golf facilities shall be accessible as follows:

1. The entire playing surface shall be accessible at starting points, end points, and at all points in-between where possible. In those areas where the ball cannot physically come to rest because of steep slopes, access is not required.

2. The entry and exit points shall be a minimum of 32 inches wide, with no railings, obstacles, or elevation change.

3. Each hole shall have a platform with a turn around radius of five feet.

4. When obstacles are provided, there shall be a 32 inch minimum clear width on one side of the obstacle.

5:23-7.27 Recreation: ski lifts, aerial tramways, and conveyors

(a) In areas where ski lifts or other comparable mechanism for skiing are provided, there shall be an accessible route of travel connecting site access point(s) and support facilities required to be accessible with the area where the transfer to skis is made.

(b) In areas where aerial tramways, conveyors or other comparable mechanisms for sightseeing are provided, there shall be an accessible route of travel connecting site access point(s) and support facilities required to be accessible and the moving seat, car or platform of the aerial tramways, conveyors, or comparable mechanisms. A five feet by five feet clear, level area meeting the criteria of CABO/ANSI A117.1, Section 4.3 shall be provided immediately adjacent to the upper, lower, and any immediate terminals of such mechanisms to facilitate transfer from a wheelchair to the seat, car or platform. If seats are involved, they shall be at a height of 16 inches to 18 inches above the clear, level area.

(c) There shall be a control immediately available to the operator of the ski lift, aerial tramway or conveyor to stop and restart the mechanism to allow the transfer of a disabled person on and off.

(d) The requirements of this section shall not apply to moving sidewalks or other horizontal conveyors guided by a track or tracks.

5:23-7.28 Recreation trails

(a) Trails through undeveloped areas are exempted from the requirements of this subchapter.

(b) All other trails shall meet the requirements for slope and for the provision of rest areas of either (b)1 or 2 below and the surfacing materials and sign requirements contained in (b)3 and 4 below.

1. A running slope shall not exceed 1:8 at any place and cross slopes shall not exceed 1:30. Level rest areas at least five feet by five feet shall be provided every 300 feet when the running slope is between 1:16 and 1:12. This shall be a challenge level 2 accessible trail. Level rest areas at least five feet by five feet shall be provided every 200 feet when the running slope is between 1:12 and 1:8. This shall be a challenge level 3 accessible trail.

i. If the topography of the site is such that average grade exceeds that in (b) 1 above, an exception to the slope limitations may be allowed.

2. Trails may also be constructed in accordance with the requirements of N.J.A.C. 5:23-7.18(b)1 (accessible route) or N.J.A.C. 5:23-7.18(b)2 (challenge level 1 accessible route).

3. In addition to the materials listed at N.J.A.C. 5:23-7.18(b)1 and 2, the following materials are acceptable as surfacing for trails: untreated soil, compacted gravel, and ungraded wood chips.

4. Each trail shall be marked in accordance with the technical criteria of CABO/ANSI A117.1, Section 4.28.1 through 4.28.5 and Section 4.28.6.1.

i. Each sign shall contain the following information:

(1) The international symbol of access for an accessible route or the challenge level of the accessible route or accessible trail; and

(2) The length of the accessible route or accessible trail.

5:23-7.29 Recreation: camping sites

(a) In camping areas in other than undeveloped areas, at least five percent (rounded off to the next higher whole number) of camp sites shall meet the following criteria:

1. There shall be an accessible route of travel connecting these accessible camp sites with site access point(s) and support facilities required to be accessible;

2. Sites and signs leading to such sites shall be marked with the International Symbol of Accessibility displayed as specified in CABO/ANSI A117.1, Section 4.28;
3. Where tent platforms are provided, each of those required to be accessible shall be equipped with a ramp meeting the criteria of CABO/ANSI A.117.1, Section 4.28;
4. The accessible camp sites shall be distributed throughout the camping area to the degree feasible as determined by the topography of the area.

5:23-7.30 Recreation: equipment

(a) Five percent of all picnic tables, benches, fireplaces and grills provided, rounded to the next higher whole number, but not less than one, shall be on an accessible route of travel.

1. Such equipment shall be distributed throughout the picnic area to the degree feasible as determined by the topography of the area.

(b) Within each play area on a site, at least 25 percent of the single function play equipment shall be of a type identified by its manufacturer as accessible to and usable by both disabled and non-disabled persons.

(c) At least 25 percent of the play activities of all multifunctional play equipment within each play area on a site shall be a type identified by the manufacturer as accessible to and usable by both disabled and non-disabled persons.

1. Access onto the multi-functional play equipment may include, but it is not limited to, the following:

- i. A ramp which complies with CABO/ANSI A117.1, Section 4.8 and which provides a landing with a minimum width of five feet by five feet at the top and bottom:
- ii. Transfer point(s) adjacent to transfer platform(s); and
- iii. An accessible route which complies with N.J.A.C. 5:23-7.18, which, because of the topography of the land, leads directly onto the equipment.

2. Accessibility features, such as ramps and transfer platforms, shall not be considered play functions. Passive activities shall not be considered play functions.

(d) Playground equipment required to be accessible in (b) and (c) above shall be on an accessible route as delineated at N.J.A.C. 5:23-7.18.

(e) As existing play equipment is replaced in any play area, at least 50 percent of the replacement equipment shall be of a type identified by the manufacturer as usable by both disabled and non-disabled persons until the percentage as specified in (b) and (c) above is met.

5:23-7.31 Recreation: equestrian facilities

At the area normally used for mounting at each recreational equestrian facility, a mounting platform for people with disabilities shall be provided. For ponies, the top of the platform shall be at a height 32 inches above the surface upon which the pony stands. For horses, the top of the platform shall be at a height of 41 inches above the surface upon which the horse stands. The mounting platform shall have a minimum dimension of five feet long and three feet wide. Any ramp necessary to provide access to the mounting platform shall meet the criteria of CABO/ANSI A117.1, Section 4.8, except that a minimum slope of 1:9 shall be allowed.